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15 Attorneys for Plaintiffs

16 [Additional counsel listed on signature page]

17 UNITED STATES DISTRICT COURT  
18  
19 NORTHERN DISTRICT OF CALIFORNIA  
20  
21 OAKLAND DIVISION

22 BIKASH MOHAN MOHANTY, On Behalf of )  
23 Himself and All Others Similarly Situated, )

24 Plaintiff, )

25 vs. )

26 BIGBAND NETWORKS, INC., AMIR )  
27 BASSAN-ESKENAZI, RAN OZ, FREDERICK )  
28 BALL, GAL ISRAELY, DEAN GILBERT, )  
29 KEN GOLDMAN, LLOYD CARNEY, BRUCE )  
30 SACHS, ROBERT SACHS, GEOFFREY )  
31 YANG, MORGAN STANLEY & CO., INC., )  
32 MERRILL LYNCH, PIERCE, FENNER & )  
33 SMITH, INC., JEFFERIES & CO., INC., )  
34 COWEN AND CO., INC., AND )  
35 THINKEQUITY PARTNERS LLC )

36 Defendants. )  
37 )  
38 )  
39 )  
40 )

Case No. 3:07-CV-05101-SBA

DECLARATION OF REED R.  
KATHREIN IN SUPPORT OF THE  
MOTION TO CONSOLIDATE, TO  
APPOINT GWYN JONES LEAD  
PLAINTIFF AND TO APPROVE  
PROPOSED LEAD PLAINTIFF'S  
SELECTION OF COUNSEL

DENNIS KOESTERER, On Behalf of Himself  
and All Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR  
BASSAN-ESKENAZI, FREDERICK A. BALL,  
RAN OZ, LLOYD CARNEY, DEAN  
GILBERT, KEN GOLDMAN, GAL ISRAELY,  
BRUCH SACHS, ROBERT SACHS, and  
GEOFFREY YANG

Defendants.

Case No. 3:07-CV-05168-MMC

ABRENA WINSTON, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR  
BASSAN-ESKENAZI, RAN OZ, FREDERICK  
BALL, GAL ISRAELY, DEAN GILBERT,  
KEN GOLDMAN, LLOYD CARNEY,  
BRUCE SACHS, ROBERT SACHS,  
GEOFFREY YANG, MERRILL LYNCH,  
PIERCE, FENNER & SMITH, INC.,  
MORGAN STANLEY & CO., INC., COWEN  
AND CO., JEFFERIES & CO., and  
THINKEQUITY PARTNERS LLC

Defendants.

Case No. 3:07-CV-05327-JSW

DONALD SMITH, On Behalf of Himself and  
All Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR  
BASSAN-ESKENAZI, and FREDERICK A.  
BALL

Defendants.

Case No. 3:07-CV-05361-SI

WAYNE LUZON, On Behalf of Himself and All  
Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR BASSAN-  
ESKENAZI, RAN OZ, FREDERICK BALL, GAL  
ISRAELY, DEAN GILBERT, KEN GOLDMAN,  
LLOYD CARNEY, BRUCE SACHS, ROBERT  
SACHS, GEOFFREY YANG, MORGAN  
STANLEY & CO., INC., MERRILL LYNCH,  
PIERCE, FENNER & SMITH, INC., JEFFERIES  
& CO., INC., COWEN AND CO., INC., and  
THINKEQUITY PARTNERS LLC

Defendants.

Case No. 3:07-CV-05637-WHA

DEBRA L. BERNSTEIN, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR  
BASSAN-ESKENAZI, RAN OZ, FREDERICK  
A. BALL, GAL ISRAELY, DEAN GILBERT,  
KENNETH A. GOLDMAN, LLOYD CARNEY,  
BRUCE I. SACHS, ROBERT J. SACHS,  
GEOFFREY Y. YANG, MORGAN STANLEY  
& CO., INCORPORATED, JEFFERIES &  
COMPANY, INC., MERRILL LYNCH, PIERCE  
FENNER & SMITH INCORPORATED,  
COWEN AND COMPANY, LLC and  
THINKEQUITY PARTNERS LLC,

Defendants.

Case No. 3:07-CV-05825-MHP

EUGENE HAMMER, On Behalf of Himself and  
All Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR  
BASSAN-ESKENAZI, FREDERICK A. BALL,  
RAN OZ, LLOYD CARNEY, DEAN GILBERT,  
KEN GOLDMAN, GAL ISRAELY, BRUCE  
SACHS, ROBERT SACHS, and GEOFFREY  
YANG

Defendants.

Case No. 3:07-CV-05825-MHP

1 I, REED R. KATHREIN declare as follows:

2 1. I am a member in good standing of the state bar of California. I am an attorney at  
3 Hagens Berman Sobol Shapiro LLP, proposed lead counsel for Gwyn Jones. I submit this  
4 declaration in support of the motion to Consolidate, to Appoint Gwyn Jones Lead Plaintiff and to  
5 Approve Proposed Lead Plaintiff's Selection of Counsel.

6 2. Attached as exhibits are true and correct copies of the following:

7 Exhibit A: Certification of Gwyn Jones along with detailed listings of transactions.

8 Exhibit B: Chart of Gwyn Jones' purchases and losses.

9 Exhibit C: Published Notice of the first securities class action complaint filed in this  
10 matter in the United States District Court for the Northern District of  
California.

11 Exhibit D: Firm Resumes for Proposed Co-Lead Counsel, Kahn Gauthier Swick, LLC  
12 and Hagens Berman Sobol Shapiro LLP

13 I declare, under penalty of perjury of the laws of the United States, that the foregoing is  
14 true and correct to the best of my knowledge.

15 Executed this 3rd day of December 2007.

17 /s/ Reed Kathrein  
18 REED R. KATHREIN  
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**DECLARATION OF SERVICE**

I hereby certify that on December 3, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached **Electronic Mail Notice List**, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached **Manual Notice List**.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 3rd day of December 2007, at Berkeley, California.

/s/ Reed R. Kathrein

REED R. KATHREIN

## Mailing Information for a Case 4:07-cv-05101-SBA

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Lewis Stephen Kahn**  
lewis.kahn@kglg.com
- **Reed R. Kathrein**  
reed@hbsslaw.com,nancyq@hbsslaw.com
- **Joni L. Ostler**  
jostler@wsgr.com,pbaird@wsgr.com
- **Alan Roth Plutzik**  
aplutzik@bramsonplutzik.com

### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)